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CONFIDENTIAL MEMORANDUM
WITH SECRET ATTACHMENT

TO: G - Mr. Wirth
FROM: AF - George E. Moose
SUBJECT: Your Participation in the Ad Hoc Committee
Meeting on Rwanda, February 8, 1995

PURPOSE

To represent the Department in the discussion of Rwanda policy issues, and to advocate the State positions outlined below.

KEY POINTS

- o State supports the UNHCR-Zaire agreement on refugee camp security, and will contribute PRM Bureau funds to help pay for it.



- o State favors retaining the UN arms embargo against Rwanda. DOD proposes to seek modification to permit transfer of non-lethal equipment. We can and are providing excess DOD school and medical supplies to Rwandan civilian authorities; we are exploring whether other types of excess DOD items can also be provided to civilian users.
- o AID is reviewing how the USG can provide assistance to Rwanda's Triage Commission, which reviews the cases against those accused of participation in genocide, and to the criminal justice functions of Rwanda's judicial system in general. State believes U.S. law should not be construed to prevent such assistance, and that if it is, a Congressional waiver of any prohibitions should be sought.

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UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: ARCHIE M BOLSTER
CLASSIFICATION: SECRET REASON: 1.4(D)
DECLASSIFY AFTER: 7 FEB 2015
DATE/CASE ID: 04 NOV 2011 201005065

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BACKGROUND

The following material is keyed to the meeting agenda, which is attached at Tab A:

USG Support for UNHCR Camp Security Program (Agenda Item IV.)

We support Mrs. Ogata's efforts to establish a 1500-man Zairian force trained and supervised by 50-60 "experts" seconded to UNHCR's staff to police the Zaire camps. State/PRM will contribute a fair-share sum to UNHCR (from FY 95 Migration and Refugee Assistance funds) to help finance the camp security mission once we have a detailed budget from UNHCR. The total cost is estimated to be \$13-\$15 million for the first five months of operation. PRM's likely contribution would therefore be in the \$3.25 to \$3.75 million range. As camp security is a fundamental issue of concern to members of the Rwanda Operational Support Group (ROSG), UNHCR's appeal is likely to be fully funded. Talking points are attached at Tab B.

Volcano Contingency Plans (Agenda Item V.)

UNHCR has developed contingency plans to protect the refugees in case of a volcanic eruption. Experts predict the likelihood that one of the two volcanos will erupt in February or March. Given the potential for disruption of the relief effort or loss of life posed by an eruption, our desire to resolve the problem of security in the refugee camps and encourage voluntary return, and the fact that the continued availability of resources to support these goals could be uncertain in the present Congress, we believe that the volcano threat should be seized upon as a means of urging the UNHCR, *re-start relief*

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donors, and the Rwandan government towards more dramatic moves to break the status quo in the camps and to develop a plan to actively promote voluntary repatriation. See the issue paper and talking points at Tab C.

Justice Issues (Agenda Item VI.)

- o Status of U.S. Contributions of Equipment; Support for Ministry Rehabilitation: AID has begun procurement of the photocopiers, typewriters, vehicles, computers, and office supplies needed to re-start the machinery of Rwanda's judicial system. The AID "key ministries" project provided \$454,000 for equipment and \$80,000 for operational support. Delivery of items ordered to date is expected the first week of March. An AID Democracy/Governance team will travel to Rwanda the last week in February to continue planning a longer-term administration of justice project, including assistance to land dispute resolution.
- o Criminal Justice Issues: The question is how the USG can provide assistance to the National Triage Commission, which was set up by the GOR to review the cases against those detained on accusations of complicity in genocide, and to restoration of the criminal justice functions of the Rwandan judicial system in general. An AID lawyer visited Kigali and has written a report describing the Commission and its needs, but reaching no conclusions on whether aid to the Commission would violate legislative prohibitions against law enforcement assistance. State's view is that the prohibition should not be interpreted to prevent the USG from offering comprehensive aid to reconstitute Rwanda's courts, and that a Congressional waiver of the prohibition should be sought if necessary to permit this assistance. Talking points are at Tab B.
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Military Weapons (Agenda Item VII.)

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- o IMET: There is consensus that IMET funding for Rwanda should be resumed in FY-95 if possible, and certainly for FY-96. Obtaining funds for IMET this fiscal year would require either a Congressional waiver or an appropriate legislative vehicle to remove the current prohibition on such aid. There is support on the Hill for restoring Rwanda's IMET program in FY-95, but H is completely opposed to the waiver option because of the likelihood of strong congressional opposition to the use of this procedure. We will pursue a repeal if the opportunity arises, through a provision in a supplemental appropriations bill or in an appropriate Senate bill. An issue paper and talking points are at Tab E.

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Attachments:

- Tab A. - Ad Hoc Agenda (SECRET)
- Tab B. - Talking Points (CONFIDENTIAL)
- Tab C. - Volcano Issue Paper (CONFIDENTIAL)
- Tab D. - Arms Embargo Issue Paper (CONFIDENTIAL)
- Tab E. - IMET Issue Paper (CONFIDENTIAL)
- Tab F. - Summary of 11/94 Ad Hoc Meeting

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Drafted:AF/RA:EBrown
SERARCS 9 6 Feb 95

Clear:AF/DAS:PBushnell
AF/RCS:TFriedman
AF/C:KAiston
IO/UNP:GStanton
IO/PHO:GStettenbauer
DRL/MLA:CNix
DRL/MLA:DBernstein
DRL/MLA:JBurt-Lynn
PM/ISP:PSuter
AID/AFR/EA:GSlocum
AID/OFDA/PMP:RDavis-Tooley

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Tab B

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TALKING POINTS

USG Support for UNHCR Camp Security Program (Agenda Item IV.)

- o State fully supports UNHCR's initiative to create a force of Zairian troops trained and supervised by expatriate security experts to police the refugee camps in Goma and Bukavu.
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- o UNHCR has not yet provided a detailed budget, but the operation is estimated to cost \$13-\$15 million over 5 months. State is willing to make a proportional contribution from FY-95 refugee funds.

Administration of Justice (Agenda Item VI.)

- o State believes that the legislative prohibition on law enforcement assistance should not be interpreted to prevent the USG from offering comprehensive assistance for the restoration of the Rwandan judicial system, including the Rwanda Triage Commission, and criminal justice functions in general.
- o If the prohibition is determined to apply, then State supports seeking a Congressional waiver to allow us to provide this assistance.
- o State has requested DOJ, FBI, and DOD to provide detailees to fulfill the USG commitment to provide personnel to the Rwanda War Crimes Tribunal. We believe the U.S. personnel will be vital to getting the Tribunal up and running as soon as possible, and we are looking for positive responses from the three agencies.

Military Weapons (Agenda Item VII.)

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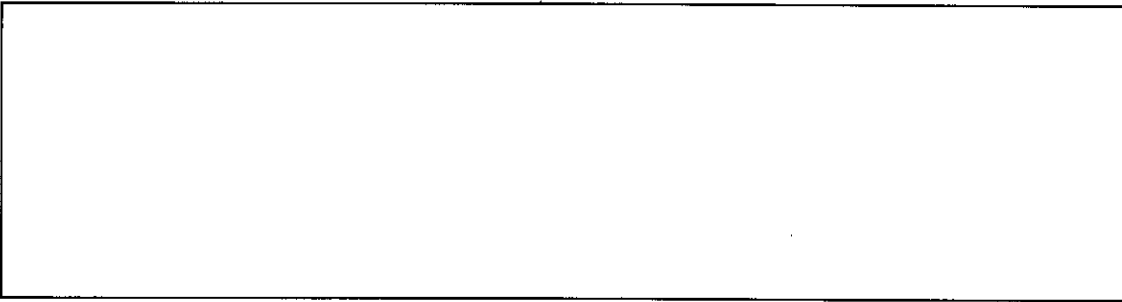
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- o Maintaining the Kigali DATT position for at least six months is absolutely essential to our ability to understand what is happening on the ground in Rwanda. State is willing to explore options for a longer-term solution, but for the time being the DATT must stay.

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